

1. BILL NO. Z-80-05-26

2. ZONING MAP ORDINANCE NO. Z-

East

3.
4. AN ORDINANCE amending City of Fort
5. Wayne Zoning Map No. 0-34.

6. BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7. INDIANA:

8. SECTION 1. That the area described as follows is hereby designated
9. an R-3 District under the terms of Chapter 33, of the Code of the City
10. of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne
11. Zoning Map No. 0-34, referred to therein, established by Section 33-11,
12. of said Chapter are hereby changed accordingly, to-wit:

13. Part of the Northeast 1/4 of Section 24, Township 31
14. North, Range 12 East, in Allen County, Indiana, being
15. more particularly described as follows:

16. Commencing at a point, said point being situated 792.6
17. feet West and 390.0 feet South 0 degrees 30 minutes West
18. of the Northeast corner of Section 24; thence continuing
19. South 0 degrees 30 minutes West, a distance of 208.8
20. feet; thence North 81 degrees 00 minutes West, a distance
21. of 582.0 feet to a point on the Easterly right-of-way
22. line of State Highway #427; thence North 25 degrees 15
23. minutes East and along the Easterly right-of-way line of
24. said State Highway #427, a distance of 212.0 feet; thence
25. Southeasterly 479.5 feet to the point of beginning, con-
26. taining 2.32 acres of land, more or less.

27. SECTION 2. That this Ordinance shall be in full force and effect
28. from and after its passage, approval by the Mayor and legal publication
29. thereof.

30. B. A. G. G. G.
31. COUNCILMEMBER

32. APPROVED AS TO FORM AND
LEGALITY MAY 23, 1980.

33. J. E. Hoffman
34. JOHN E. HOFFMAN
35. City Attorney

Read the first time in full and on motion by E. Schuch, seconded by Nuckols, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 5-27-80, the 5 day of May, 1980, at 8 o'clock M., E.S.T.

DATE: 5-27-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by E. Schuch, seconded by B. Tid, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>3</u>			
<u>BURNS</u>	<u>X</u>				
<u>EISBART</u>	<u>X</u>				
<u>GiaQUINTA</u>	<u>X</u>				
<u>NUCKOLS</u>	<u>X</u>				
<u>SCHMIDT, D.</u>	<u>X</u>				
<u>SCHMIDT, V.</u>		<u>X</u>			
<u>SCHOMBURG</u>		<u>X</u>			
<u>STIER</u>		<u>X</u>			
<u>TALARICO</u>	<u>X</u>				

DATE: 7-8-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Charles W. Westerman
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-80-05-26

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-34

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

Ben Eisbart
John Nuckols

Samuel J. Talarico
Donald J. Schmidt

7-8-80
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 27, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-05-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 16, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 23, 1980.

Certified and signed this
24th day of June 1980.



Joyce Schlatter
Secretary

RECEIPT

Date

7 May 80

No.

10968

Received From

Roberts Development Corp

Address

4646 U.S.

For

Leasing - 5670 N. Clinton Highway

Dollars \$50.00

ACCOUNT

HOW PAID

AMT. OF
ACCOUNT

CASH

AMT. PAID

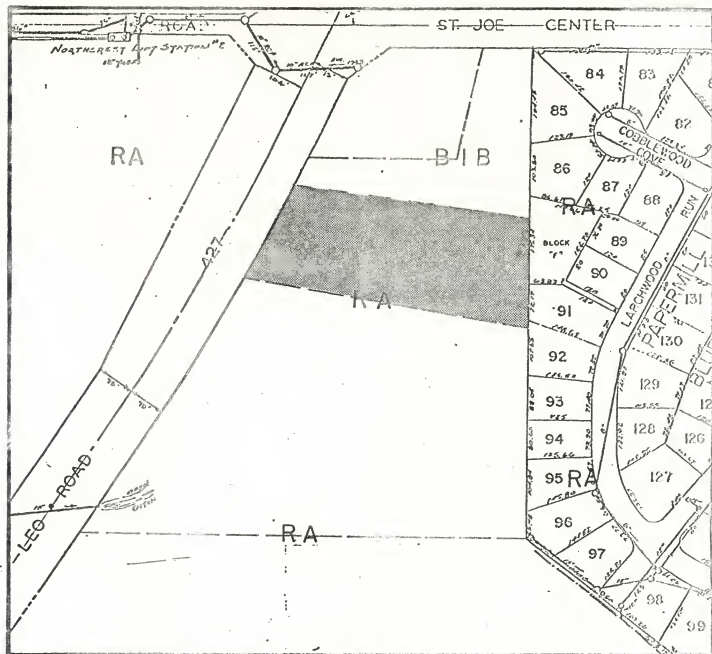
CHECK

BALANCE
DUE

MONEY
ORDER

By

Fast B.



Map No. 0-34

Z-80-05-26

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____ Office _____

I/We ROBERTS PROPERTIES, INC.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-A District to a/an R-3 District the property described as follows:

Part of the Northeast $\frac{1}{4}$ of Section 24, Township 31 North, Range 12 East,

in Allen County, Indiana, being more particularly described as follows:

Commencing at a point, said point being situated 792.6 feet West and 390.0

feet South 0 degrees 30 minutes West of the Northeast corner of Section 24;

thence continuing South 0 degrees 30 minutes West, a distance of 208.8 feet;

thence North 81 degrees 00 minutes West, a distance of 582.0 feet to a point

on the Easterly right-of-way line of State Highway #427; thence North 25 degrees

15 minutes East and along the Easterly right-of-way line of said State Highway

#427, a distance of 212.0 feet; thence Southeasterly 479.5 feet to the point

of beginning, containing 2.32 acres of land, more or less.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

ROBERTS PROPERTIES, INC. 5620 N. Clinton

Daniel L. Roberts PRESIDENT

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Daniel L. Roberts
(Name)

4646 West Jefferson
(Address)

219-432-8551
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802

Telephone Number 423-7571

7-24

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-80-05-26

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A parcel located approximately 600 feet south of
St. Joe Center Road on the east side of Clinton Street and containing
2.32 acres, more or less.

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential.
Property will become R-3 - Multiple Residential.

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 June 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 23, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No: Z-80-05-26
2. From R-A to R-3
3. Intended Use: Insurance Office
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The Commission felt that this change in zoning would permit incompatible encroachment into a very well maintained substantial residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments